Remarks

Claims 17-18 and 20-21 are pending. Previous claims 1, 4, 7-12, 14-16, 19 and 22-29 have been cancelled.

In response to the objection to the drawings, Applicant submits herewith a further set of the substitute drawings previously submitted on April 11, 2002. In the last Official Action, the Examiner suggested that the drawings previously submitted had undergone low image quality transfer when scanned into the electronic file wrapper. All of the drawings being filed herewith include the legend "Replacement Sheet" in the top margin.

In response to the objection to the title, Applicant has amended the title to make it more descriptive of the invention to which the claims are directed.

In response to the provisional double-patenting rejections, Applicant submits herewith terminal disclaimers with respect to co-pending application nos. 09/981,301 and 09/981,283.

In response to the rejection of claims 14-16 as directed to non-statutory subject matter, Applicant notes that claims 14-16 are no longer pending.

In response to objection to the term "value added" as indefinite, this term has been deleted from the pending claims.

In response to the objection to use of the term "Java," Applicant notes that this term has been deleted from the pending claims.

In response to the request for references in the Specification corresponding to "means-plus-function" elements recited in previous claims 19 and 22, Applicant notes that these claims are no longer pending.

In response to the request for clarification as to the term "pushing," Applicant notes that this term is no longer recited in any pending claims and that the reliance on Official Notice with respect to "the pushing of frame header information generated at the application layer from the application layer to UDP packets in the transport layer" is therefore moot. Should Applicant present this limitation in the future, Applicant reserves the right at such time to traverse the Examiner's reliance on Official Notice with respect to this limitation.

Previous independent claims 17 and 20 were rejected for obviousness over Cleary in view of RFC 1889, and separately over Campbell in view of Herrod. Applicant respectfully traverses these rejections and respectfully submits that the subject matter of amended claims 17 and 20 is allowable over the cited references.

As amended, claim 17 is directed to a method for transferring user datagram protocol (UDP) packets over a broadband network system from a broadband interface unit (BIntU) transceiver to a data distribution center, wherein the data distribution center is coupled over a network to a network access point. Function calls are supplied to the BIntU transceiver from a personal computer with a computer processor. The personal computer is separate from the BIntU tranceiver, and the BIntU transceiver is positioned between the network access point and the personal computer. The UDP packets are generated in the BIntU transceiver and transmitted over the network solely at or below the transport layer, the generating and transmitting of the UDP packets including: (i) encoding (with an encoder) audio or video information, within the BIntU transceiver in order to generate UDP frame information; (ii) temporarily storing the UDP frame information solely at or below the transport layer as a UDP packet within a protocol

stack; (iii) transmitting the UDP packet directly from the protocol stack to the network access point at, or below, the transport layer; (iv) transmitting the UDP packet from the network access point to the data distribution center at, or below, the transport layer; and (v) transmitting the UDP packet from the data distribution center to a network destination address device at or below the transport layer. Significantly, <u>the UDP information output by the encoder travels from the encoder to the stack and from the stack to the network access point solely at, or below, the transport layer and without being processed by the computer processor in the personal computer.</u>[1] The data distribution center indicates that it received information from the BIntU transceiver in response to the UDP-packet. Claim 20 recites similar limitations, but is cast in system format.
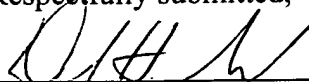
It is respectfully submitted that the cited references fail to show or suggest a configuration where <u>UDP information output by the audio/video encoder travels from the encoder to the stack and from the stack to the network access point **solely at, or below, the transport layer and without being processed by the computer processor in the personal computer**</u>, as recited in each of the pending independent claims.

In view of the above, it is respectfully submitted that all pending claims define over the cited references and are therefore allowable. It is respectfully submitted that each dependent claim is allowable because it depends from an allowable base claim. A Notice of Allowance is therefore earnestly solicited.

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[1] Support for this limitation may be found, for example, at p. 19, lines 10-14, p. 36, lines 3-21, and p. 58, lines 8-11.

The Commissioner is hereby authorized to charge any deficiency in the fees due in connection with this filing, including any fees for extra claims or the terminal disclaimers filed herewith, to Deposit Account 50-0310. A duplicate of this authorization is enclosed.

Respectfully submitted,

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